

cf 1501
Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 314 OF 2005

BETWEEN

Puneshwar Chandra S/o Shri Achhe Ram Chandra, aged about 47 years, Sarpanch, Gram Panchayat Balpur Tahsil Bilaigarh District Raipur (CG)..

PETITIONER

P.R. No. 361/05

Presented by Shri. A. Monke...

dated 28-07-05

A N D

The State of Chhattisgarh, through Secretary Panchayat, Mantralay, D.K.S. Building, Raipur (CG).

2. Chief Election Officer, Local Administration Chhattisgarh, Raipur (CG).
3. Elector Officer/Collector, Raipur (CG).
4. Assistant Election Officer, Janpad Panchayat Bilaigarh District Raipur (CG).
5. Sub Divisional Officer, Bilaigarh District Raipur.
6. Naib Tahsildar, Bhatgaon, District Raipur .
7. Meera Bai Chandrakar ,Contesting cadidate for the post of Sarpanch of Gram Panchayat Balpur, Tahsil Bilaigarh District Raipur (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION
OF INDIA

1. Particulars of the Petitioner...

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.N.O. 314/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<u>3-2-2005</u>	
	Shri Awadh Tripathi, counsel for the petitioner.	
	Shri Prashant Mishra, Addl. Advocate General for the State/ respondents No.1 to 6.	
	Heard both the counsel.	
	The case of the petitioner is that election for the posts of Sarpanch and Panch of the Gram Panchayat Balpur was held on 15 th January 2005. The petitioner is the ex-Sarpanch of the village and his wife has contested the election for the post of Sarpanch.	
	The main grievance of the petitioner raised in the petition is that during the voting, some bogus voting took place and the complaint of the same was made to the Collector and returning officer. On his complaint, the S.D.O., Bilaigarh asked respondent No.6 to conduct an enquiry into the allegations of the petitioner, but so far respondent No.6 has not submitted any report.	
	But, perusal of the petition shows that nothing has been mentioned in the petition about the fact that whether counting of votes has been taken place or not. Normally, counting of votes for the post of Sarpanch is taken up on the same day. Therefore, the petition is lacks in material particulars and necessary facts about the result of the election and counting of the votes have not been mentioned. In the normal course that should have been taken place on the same day,	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक

314

सन 2005

आदेश पत्रक (पूर्वानुबन्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
Barve taken	as such the petition is misconceived and on this ground the same is liable to be dismissed and it is accordingly dismissed. The petitioner, if wants, he can avail other remedy available to him under the law. Consequently, M.(W.)P.No.275/2005 and I.A. No.648/2005 stand disposed of.	Sd/- L.C. Bhadoo Judge